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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, JULY 24, 2000

APPLICATION OF

MVX.COM COMMUNICATIONS OF VIRGINIA, INC. CASE NO. PUC000128

For certificates of public
convenience and necessity to
provide local exchange and
interexchange telecommunications
services

FINAL ORDER

On April 24, 2000, MVX.COM Communications of Virginia, Inc. ("MVX.COM" or "Applicant"), filed an application for certificates of public convenience and necessity ("certificates") with the State Corporation Commission ("Commission") to provide local exchange and interexchange telecommunications services throughout the Commonwealth of Virginia. The Applicant also requested authority to price its interexchange services on a competitive basis pursuant to § 56-481.1 of the Code of Virginia.

By Order dated May 11, 2000, the Commission directed the Applicant to provide notice to the public of its application, directed the Commission Staff to conduct an investigation and file a Staff Report, and scheduled a public hearing to receive evidence relevant to MVX.COM's application.

On July 10, 2000, the Staff filed its Report finding that MVX.COM's application was in compliance with the Rules Governing the Offering of Competitive Local Exchange Telephone Service ("Local Rules"), 20 VAC 5-400-180, and the Rules Governing the Certification of Interexchange Carriers ("IXC Rules"), 20 VAC 5-400-60. Based upon its review of MVX.COM's application, the Staff determined that it would be appropriate to grant the Applicant certificates to provide local exchange and interexchange telecommunications services, subject to the following conditions: (1) any customer deposits collected by MVX.COM be retained in an unaffiliated third-party escrow account until such time as the Staff or Commission determines it is no longer necessary; and (2) MVX.COM shall provide audited financial statements of its parent, MVX.COM Communications, Inc., to the Staff of the Division of Economics and Finance no later than one year from the effective date of MVX.COM's initial tariff.

There were no written comments or notices of protest filed in this proceeding.

A hearing was conducted on July 20, 2000. MVX.COM filed proof of publication and proof of service as required by the May 11, 2000, Order. At the hearing, the application and accompanying exhibits and the Staff Report were entered into the record without objection.

NOW THE COMMISSION, having considered the application and the Staff Report, finds that MVX.COM should be granted certificates to provide local exchange and interexchange telecommunications services, subject to the conditions detailed herein. Having considered § 56-481.1, the Commission further finds that MVX.COM may price its interexchange services competitively.

Accordingly, IT IS ORDERED THAT:

(1) MVX.COM Communications of Virginia, Inc., is hereby granted a certificate of public convenience and necessity, No. T-498, to provide local exchange telecommunications services and subject to the restrictions set forth in the Local Rules, § 56-265.4:4 of the Code of the Virginia, and the provisions of this Order.

(2) MVX.COM Communications of Virginia, Inc., is hereby granted a certificate of public convenience and necessity, No. TT-102A, to provide interexchange services subject to the restrictions set forth in the IXC Rules and the provisions of this Order.

(3) Should MVX.COM collect customer deposits, it shall establish and maintain an escrow account, held by an unaffiliated third party, to hold such funds and shall notify the Division of Economics and Finance of the escrow arrangement. Any escrow arrangement established pursuant to this Order shall

be maintained for such time as the Staff or the Commission determines it is necessary.

(4) MVX.COM shall provide tariffs to the Division of Communications, which conform to all applicable Commission rules and regulations.

(5) MVX.COM shall provide audited financial statements of its parent, MVX.COM Communications, Inc., to the Staff of the Division of Economics and Finance no later than one year from the effective date of MVX.COM's initial tariff.

(6) There being nothing further to come before the Commission, this case shall be dismissed and the papers filed herein placed in the file for ended causes.